
APPEALS AGAINST ACADEMIC REVIEW DECISIONS

Legislation/Standards

Higher Education Support Act 2003 and Higher Education Provider Guidelines

South Australian Training and Skills Development Act (2008) and Guidelines for Higher Education Accreditation and Registration

Delegations

The ACD Board has delegated to the ACD Executive Officer the responsibility for administration of the procedures for appeals against academic review decision.

Approvals

This document was approved by the ACD Board/ACD President on 9 July 2004 and amendments approved on 12 September 2005, 2 April 2007, 28 August 2007 and 23 October 2007 and updated January 2011.

Associated Documents

Academic Review of Student Progress

Policy

1. It is expected that most disputes over academic review decisions will be resolved through a process of informal consultation without recourse to formal appeal.
2. Decisions which are subject to appeal in accordance with the provisions of this policy are those in relation to:
 - contract enrolment
 - preclusion from a topic
 - preclusion from a courseas detailed in the ACD document *Academic Review of Student Progress*.
3. Students shall have the right to appeal against decisions concerning contract enrolment or preclusion on one or both of the following grounds:
 - 3.1 that relevant evidence not previously available has become available since the decision was made;
 - 3.2 that the ACD policy and procedures for the academic review of student progress were not correctly observed.
4. Students may continue their program of study pending the outcome of appeals, but will be required to amend or withdraw their enrolment if appeals are denied. In the case of field placements, these may be permitted to proceed only where the related topic is not affected by the appeal.
5. The parties to the appeal will not be victimised or discriminated against as a result of an appeal being raised.
6. Reasons and full explanation in writing for decisions and actions taken as part of the procedures will be provided at any stage if requested by either party to the appeal.

Procedures

7. An appeal must be lodged with the ACD Executive Officer within ten working days of the date of the dispatch of the notification of the decision on the objection. (Special provisions may be made for students resident in the country, interstate and overseas.)
8. The Executive Officer will acknowledge receipt of the student's appeal in writing.
9. The Executive Officer will initiate appeal proceedings within ten working days, provided that:
 - 9.1 the appeal is in accordance with the provisions of this policy; and
 - 9.2 the grounds on which the appeal is based are substantiated in the supporting documentation submitted by the student.
10. If the Executive Officer does not initiate an appeal, then the grounds for initiation of proceedings will be notified to the student by certified mail and reported to the ACD General Board.
11. Appeals will be heard by a sub-committee of the ACD General Board.
12. This committee:
 - 12.1 will determine its own procedures for the conduct of hearings;
 - 12.2 will consider written submissions from the appellant and the relevant head of college; and
 - 12.3 may, at its discretion, invite the appellant and relevant Principal of college to attend the hearing; each may be accompanied by a member of the ACD community. Any staff member or student nominee may act on behalf of the student. None of the parties will be permitted to have legal representation at the appeals hearing.
13. The Executive Officer will notify the appellant in writing of the decision within ten working days.
14. Should the student be dissatisfied at any stage of the process or with the outcome of these procedures, mediation services may be sought from the Community Mediation Services of South Australia, telephone 8350 0376 or 8384 5222. If the student remains dissatisfied, a complaint can be made to the Training Advocate www.trainingadvocate.sa.gov.au, telephone 1800 006 488.
15. External complaints will be handled within a reasonable timeframe, and parties to the appeal will be provided with an indication of the likely timeframe for response by the Training Advocate. The ACD Executive Officer will ensure that any recommendations from Training Advocate arising from a complaint will be implemented.
16. The ACD Executive Officer will keep secure the confidential records of appeals lodged under these procedures for at least five years and will give appropriate access to the records to the parties to the appeal.

Communication

17. This policy is given to all new students enrolling in ACD courses. It is published in the *Handbook* and on the ACD website

at www.acd.edu.au and will be discussed at student orientation sessions.

18. This policy is communicated to staff by publication in the annual *Handbook* and on the ACD website at www.acd.edu.au. Training is provided to staff through staff meetings and induction sessions for new staff.